THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 22253 OF 2001

Dated 1st August, 2007

Between:

K.M.Khandelwal and others.

…Petitioners

And

A.C.P. Central Crime Station,
Fateh Maidan Road,
Hyderabad, Andhra Pradesh State
and another.

…Respondents.

ORAL ORDER:

The petitioners, three in number, seek a declaration that the action of the respondents in harassing them allegedly in pursuance of Crime No.266/CR/2000, dated 20.12.2000 registered under Sections 468 and 471 of I.P.C. on the file of C.B., C.I.D., Palakad, Kerala State is violative of Articles 21 and 22 of Constitution of India.

On the allegation made by the petitioners that the officers investigating the crime had visited the premises of the petitioners on 13.9.2001 and harassed them, this court by order dated: 19.10.2001 called for a report from the Commissioner of Police, Hyderabad. In compliance of the said order, the Commissioner of Police, Hyderabad after elaborate enquiry submitted report dated 12.12.2001 to this court, wherein it is stated that except seizing certain documents in connection with the investigation, the Kerala Police have not misbehaved with the petitioners and they have not used any filthy language. Though it is found that some telephones were disconnected and mobile phones were switched off, but that cannot be said that the respondents have harassed the petitioners.

In view of the report of the Commissioner of Police, it cannot be said that the petitioners were harassed. Further, it is also submitted by Shri Purushotham Reddy, learned counsel appearing for the respondents that the said case was registered by Crime Branch, C.I.D., Palakkad and on investigation by CB CID, Palakkad, it was found that the molasses was transferred on forged NOC from Thirupathi to Bangalore. It is further stated that as the commission of offence was outside the local jurisdiction of Kerala Police, further action in the case was dropped and report was submitted before the concerned court and accordingly the case was closed.

In view of the closure of the case and the report of the Commissioner of Police submitted to this court in compliance of the order dated 19.10.2001 wherein it is stated that no harassment was caused by the respondents and no filthy language was used as alleged by the petitioners, the petitioners are not entitled for any relief in this writ petition.

The writ petition is devoid of merits and is, therefore, dismissed. No costs.

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1-8-2007

R.SUBHASH REDDY, J.

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